

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE:

YUNG HIE KOH, M.D.

CONSENT ORDER

The West Virginia Board of Medicine ("Board") and Yung Hie Koh, M.D., ("Dr. Koh") freely and voluntarily enter into the following Order pursuant to West Virginia Code §30-3-14(n):

FINDINGS OF FACT

1. Dr. Koh currently holds a license to practice medicine and surgery in the State of West Virginia, issued originally in 1972, and his address of record with the Board is in Princeton, West Virginia.

2. Dr. Koh's license is identified as West Virginia License No. 9585.

3. Dr. Koh has pleaded guilty to a violation of Title 18, United States Code, Section 1341 (mail fraud), in the case United States of America v. Yung Hie Koh, Case No. 1:94-00158-001, in United States District Court for the Southern District of West Virginia, which violation is a felony.

4. Dr. Koh has expressed a desire to enter into this Consent Order in order to settle and terminate any dispute with the Board as a result of his plea of guilty set forth in paragraph 3.

5. The conviction of a felony directly related to the practice of medicine is a serious crime requiring as a minimum sanction the suspension of a license to practice medicine.

CONCLUSIONS OF LAW

1. Probable cause exists to substantiate charges of disqualification from the practice of medicine due to violations of West Virginia Code §30-3-14(c)(2), (5) and (17), and violations of West Virginia Legislative Rules, West Virginia Board of Medicine, 11 CSR 1A 12.1(e), (j), (k) and (p), all relating to conviction of a crime which is a felony and directly related to the practice of medicine, filing false reports, and unprofessional conduct.

2. The Board has determined that it is appropriate and in the public interest to waive the filing of charges in this matter and to settle and terminate any dispute with Dr. Koh based on his guilty plea, as set forth in paragraph 3 of the Findings of Fact, by entering into this Consent Order with Dr. Koh, and provided he complies with each and every term of this Consent Order.

CONSENT

Yung Hie Koh, M.D., by affixing his signature hereon, agrees solely and exclusively for purposes of this agreement and the entry of the Order provided for and stated herein, and proceedings conducted in accordance with this Order to the following:

1. Dr. Koh acknowledges that he is fully aware that, without his consent, no permanent legal action may be taken against him except after a hearing held in accordance with West Virginia Code §30-3-14(h) and §29A-5-1, et seq.;

2. Dr. Koh acknowledges that he has the following rights, among others: the right to a formal hearing before the West Virginia Board of Medicine, the right to reasonable notice of said hearing, the right to be represented by counsel at his own expense, and the right to cross-examine witnesses against him;

3. Dr. Koh waives all rights to such a hearing;

4. Dr. Koh consents to the entry of this Order relative to his practice of medicine in the State of West Virginia; and,

5. Dr. Koh understands that this Order is considered public information, and that matters contained herein may be reported, as required by law, to the National Practitioner Data Bank.

ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law of the Board, and on the basis of the consent of Dr. Koh, the West Virginia Board of Medicine hereby ORDERS as follows:

1. That the license to practice medicine and surgery of Dr. Koh, License No. 9585, is SUSPENDED effective June 1, 1995, for a one (1) year period until June 1, 1996, but that as of December 1, 1995, said suspension is STAYED for the remaining six (6) months of the period of suspension, and Dr. Koh shall be placed on

probation effective December 1, 1995, for a period of three (3) years and or until such time as he completes the three (3) year term of supervised release imposed by the United States District Court for the Southern District of West Virginia in its April 25, 1995, Order: Provided, that Dr. Koh may resume his practice of medicine on or after December 1, 1995, only on the condition that he practice for the remaining six (6) months of his period of stayed suspension under the supervision of a physician to be approved by the Board, and Dr. Koh shall submit to the Board on or before November 15, 1995, the names of three (3) physicians from which the Board may select such Board approved supervising physician.

2. Dr. Koh shall comply with all requirements of the United States District Court for the Southern District of West Virginia as contained in its Order of April 25, 1995, and Dr. Koh may not bill Medicaid for any services performed until after he has completed the community service obligations imposed in such Order.

3. Upon successful completion of all of the above requirements, as determined by the Board, Dr. Koh's license to practice medicine and surgery shall be reinstated in full by the Board.

4. Dr. Koh shall provide a copy of this Order to any employer or health care or medical facility where Dr. Koh is practicing medicine, and during the period that this Order is in effect, Dr. Koh shall provide a copy of this Order to any

prospective employer or health care or medical facility where he seeks to practice medicine.

The failure of Dr. Koh to comply with the terms of this Consent Order shall constitute grounds for the revocation of his license to practice medicine and surgery in the State of West Virginia.

Entered this 15th day of May, 1995.

WEST VIRGINIA BOARD OF MEDICINE

Jesus T. Ho
Jesus T. Ho, M.D.
President

William T. Wallace, Jr.
William T. Wallace, Jr., M.D., M.P.H.
Secretary

Yung Hie Koh
Yung Hie Koh, M.D.
Date: May 10, 1995

STATE OF West Virginia

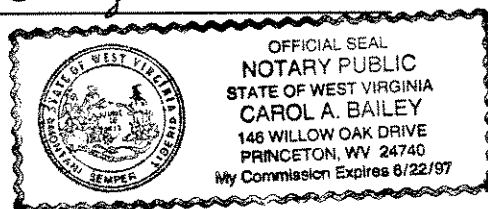
COUNTY OF Mercer, to-wit:

I, Carol A Bailey, a Notary Public for said county and state do hereby certify that Yung Hie Koh, M.D., whose name is signed above has this day acknowledged the same before me.

Given under my hand this 10th day of May, 1995.

My Commission expires 6/22/97.

Carol A Bailey
NOTARY PUBLIC





Curtis Arnold, D.P.M.
South Charleston

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Charleston

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Martinsburg

Darrel Darby, D.P.M.
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Martinsburg

State of West Virginia

WEST VIRGINIA BOARD OF MEDICINE

101 Dee Drive

Charleston, West Virginia 25311

Telephone (304) 558-2921

Fax (304) 558-2084

February 27, 1996

Charles J. Mirabile, M.D.
Princeton Community Hospital
12th Street, P.O. Box 1369
Princeton, WV 24740

Re: Yung Hie Koh, M.D.

Dear Dr. Mirabile,

You are hereby approved as the supervising physician for Dr. Koh effective March 1, 1996, pursuant to the provisions of the Consent Order into which Dr. Koh entered with this Board on May 15, 1995. You will be his supervising physician for the remaining three months of the period of stayed suspension of his license, through May 31, 1996.

A copy of this letter will be attached to the above noted Consent Order and made a part thereof, with your letter of February 21, 1996.

With regard to your comment about Dr. Koh working off his community service by seeing patients at no charge in his office practice, this is a matter within the purview of the United State District Court.

Sincerely,

Ronald D. Walton

cc: Yung Hie Koh, M.D., with enclosure
Stephen D. Paesani, Esq., with enclosure

PRESIDENT

Paul Brooks, Jr., M.D.
Martinsburg

VICE PRESIDENT

Sarjit Singh, M.D.
Martinsburg

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William T. Wallace, Jr., M.D., M.P.H.
Charleston

COUNSEL

Deborah Lewis Rodecker
Charleston

EXECUTIVE DIRECTOR

Ronald D. Walton
Charleston

PRINCETON COMMUNITY HOSPITAL
12th Street, P.O. Box 1369
PRINCETON, WV 24740

February 21, 1996

WV Board of Medicine
101 Dee Drive
Charleston, WV 25311

ATTENTION: Ronald D. Walton, Executive Director

Mr. Walton:

This is to acknowledge receipt of the consent order pertaining to Dr. Yung Hle Koh. It is my intention to serve as his supervising physician during his probationary period as defined in the consent decree.

I will be reviewing virtually 100% of his inpatient records in my capacity as clinical director at Princeton Community Hospital.

In addition, I have already reviewed outpatient review with Dr. Koh and intend to periodically visit his office and to randomly select records for review in terms of appropriateness of care and chart documentation.

It is my understanding, after communicating with Dr. Koh, that he anticipates a resumption of his clinical practice on or about the first of March 1996.

After conducting periodic reviews on Dr. Koh's inpatient and outpatient records, I will, at approximately 60 day intervals, provide written communication to the board of medicine regarding my findings.

Dr. Koh is purposing further that his community service be worked off by seeing patients at no charge in his office practice.

I am uncertain as to whether this is a decision that is within Dr. Koh's command and certainly feel that that is a situation that should be dealt with by the board and the federal authorities.

PRINCETON COMMUNITY HOSPITAL

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Charles J. Mirabile

Charles J. Mirabile, M.D.

CJM/sh/255

D: 2/20/96

T: 2/21/96

. Curtis Arnold, D.P.M.
outh Charleston

ev. Richard Bowyer
airmont

. Paul Brooks, Jr., M.D.
arkersburg

.hmed D. Faheem, M.D.
eckley

Ir. Roger Foster
organtown

.ngelo N. Georges, M.D.
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State of West Virginia

West Virginia Board of Medicine
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January 12, 1999

Phillip B. Mathias, M.D.
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Lee Elliott Smith, M.D.
Princeton

Kenneth Dean Wright, P.A.-C.
Huntington

S. Kenneth Wolfe, M.D.
Huntington

Yung Hie Koh, M.D.
100 New Hope Road
Princeton, West Virginia 24740

Dear Dr. Koh:

This is to officially notify you that the three-year probationary status of your West Virginia medical license, No. 9585, has, as of December 1, 1998, ended, and your license has been reinstated in full.

However, in accordance with the statute, the Consent Order remains a permanent part of your historical record maintained by the Board. A copy of this letter will be attached to the Consent Order and will remain a part of the Consent Order.

Thank you for your cooperation and patience throughout this process and continued best wishes for success.

Sincerely,

A handwritten signature in cursive script that reads "Ronald D. Walton".

Ronald D. Walton

eb

pc: Stephen D. Paesani, Esq.
David L. White, Esq.

RESIDENT
Arjit Singh, M.D.
Fairmont

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Leonard Simmons, D.P.M.
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